



Memorandum

TO: CITY COUNCIL
SUBJECT: SEE BELOW

FROM: Mayor Sam Liccardo
DATE: January 6, 2021

APPROVED:

DATE: 1/6/20

SUBJECT

**APPROVAL OF MAYOR'S OFFICE VIETNAMESE HERITAGE AND FREEDOM
FLAG RAISING CEREMONY AS A CITY COUNCIL SPONSORED EVENT**

RECOMMENDATION

1. Approve the Vietnamese Heritage and Freedom Flag Raising scheduled from February 12 to February 18, 2021 as a City Council sponsored Special Event and approve the expenditure of funds.
2. Approve and accept donations from various individuals, businesses, or community groups to support the event.
3. Place this item on the January 26, 2021 City Council Agenda for Action

BACKGROUND

On February 1, 2005, the City Council adopted Resolution No. 72517 which requires Councilmembers to submit a memorandum to the Rules Committee regarding proposed City Council sponsored Special Events and the proposed use of any funds. Due to the current shelter in place and limits on public gatherings, the flag will be raised by City Hall facilities staff on February 12 to February 18, 2021, but no associated public event will be occurring. This special event will celebrate the Vietnamese culture and heritage in the City of San Jose and the first day of Lunar New Year. The display of the Vietnamese Freedom and Heritage Flag on February 12 to February 18, 2021 is permitted under Council Policy 2-1, Section C.3 — Flags Displayed in Conjunction with Official Ceremonial Items: “Other flags may be displayed in conjunction with official actions, ceremonial items, or proclamations of the City Council.” Pursuant to Resolution Nos. 72679 and 78064, the City of San Jose recognizes the Vietnamese Heritage and Freedom Flag as the official flag of the Vietnamese-American community in San Jose.

ANALYSIS

Approval by the City Council of the event will ensure compliance with the Council's prior direction regarding Council Special Events. In observance of existing fundraising disclosure requirements, Councilmember Diep will report any cash or in-kind donations received for the event on their Disclosure of Fundraising Report (DFR-1). Approval of this memorandum will enable the Mayor's Office, City departments and the Office of the City Clerk to proceed with the event. Any cash donations received will be processed pursuant to the City's normal financial and budgetary procedures.

PUBLIC OUTREACH/INTEREST

The Office of the City Clerk will post the item on the City's Website for the January 20, 2021 Rules Committee Agenda and the January 26, 2021 City Council Agenda.

CEQA

- X Not a Project, File No. PP15-077, Temporary Special Events.
- ☐ Not a Project, File No. PP10-069(c), City Administrative Activities.
- ☐ Exempt, File No. PP12-080. Minor temporary use of land having negligible or no permanent effect on the environment.
- ☐ Exempt, File No. PP13-056, Activities associated with citywide litter clean-up activities.
- ☐ Exempt, File No. PP11-046, Graffiti removal services.

Reviewed by:

TONI J. TABER, CMC
City Clerk

For questions, contact Toni Taber, City Clerk, at (408) 535-1260.